

Case No. 30862

THE COMMISSIONER OF PATENTS  
AND TRADEMARKS  
Alexandria, VA 22313-1450

Transmitted herewith for filing in the patent application of:

**Inventors:** Roger Morris et al.  
**For:** Food Borne Pathogen and Spoilage Detection Device and Method  
**Serial No.:** 10/659,222  
**Filed:** September 10, 2003

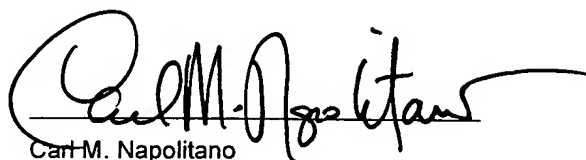
**Enclosed are:**

- ☒ Citation Under 37 CFR §1.97 (IDS)
- ☒ From PTO -1449 + copies of cited references

- ☒ The Commissioner is authorized to charge or credit any discrepancies in fee amounts to Deposit Account No. 01-0484.

March 3, 2004

Date



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of:

**ROGER MORRIS ET AL.**

Serial No. **10/659,222**

Filing Date: **September 10, 2003**

For: **FOOD-BORNE PATHOGEN AND  
SPOILAGE DETECTION DEVICE AND  
METHOD**

Art Unit: **1771**

Attorney Docket No.  
**30862**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

In compliance with 37 C.F.R. §1.97(b), it is respectfully requested that the Information Disclosure Statement (Form PTO/SB/08A) attached hereto be entered and the references listed thereon be considered by the Examiner and made of record. Copies of the listed references are enclosed.

Respectfully submitted, ,

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**CERTIFICATE OF MAILING**

I hereby certify that the foregoing is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 4<sup>TH</sup> day of March, 2004.

Edward Bradley



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<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete If Known</b>	
				Application Number	10/659,222
				Filing Date	9/10/2003
				First Named Inventor	Roger Morris
				Group Art Unit	1771
				Examiner Name	
Sheet	1	of	3	Attorney Docket Number	30862

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	AA	3,067,015		R.F. Lawdermilt	12/04/1962	
	AB	3,899,295		Halpern	08/12/1975	
	AC	3,966,414		Khattab et al.	06/29/1976	
	AD	4,003,709		Eaton et al.	01/18/1977	
	AE	4,023,934		Spinner et al.	05/17/1977	
	AF	4,557,900		Heitzmann	12/10/1985	
	AG	4,746,616		Honigs et al.	05/24/1988	
	AH	4,945,060		Turner et al.	07/31/1990	
	AI	4,971,762		Bather	11/20/1990	
	AJ	5,045,283		Patel	09/03/1991	
	AK	5,053,339		Patel	10/01/1991	
	AL	5,057,430		Newman	10/15/1991	
	AM	5,057,434		Prusik et al.	10/15/1991	
	AN	5,063,178		Toomey	11/05/1991	
	AO	5,094,955		Calandra et al.	03/10/1992	
	AP	5,096,813		Krumhar et al.	03/17/1992	
	AQ	5,124,128		Hildenbrand et al.	06/23/1992	
	AR	5,182,212		Jalinski	01/26/1993	
	AS	5,372,926		Fraatz et al.	12/13/1994	
	AT	5,407,829		Wolfbeis et al.	04/18/1995	
	AU	5,439,648		Balderson et al.	08/08/1995	
	AV	5,601,998		Mach et al.	02/11/1997	
	AW	5,653,941		Veretto et al.	08/05/1997	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Alexandria, VA 22313-1450.

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Sheet	2	of	3	Attorney Docket Number	30862

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		Number	Kind Code <sup>2</sup> (if known)			
	AX	5,667,303		Arens et al.	09/16/1997	
	AY	5,756,356		Yanagi et al.	05/26/1998	
	AZ	5,795,773		Read et al.	08/19/1998	
	BA	5,869,341		Woodaman	02/09/1999	
	BB	5,965,061		Larsson et al.	10/12/1999	
	BC	6,051,388		Bodenhamer	04/18/2000	
	BD	6,270,724		Woodaman	08/07/2001	
	BE	2001/0021531		Goldsmith	09/13/2001	
	BF	2002/0045200		Bodenhamer	04/18/2002	
	BG	2002/0044891		Miller et al.	04/18/2002	
	BH	6,376,204		Bodenhamer	04/23/2002	
	BI	6,379,908		Bodenhamer	04/30/2002	
	BJ	6,589,761		Freadman et al.	07/08/2003	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>3</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office	Number <sup>4</sup>	Kind Code <sup>5</sup> (If known)				
✓	BK	GB	902,018		Hygrade Foods Products Corporation	07/27/1962		
✓	BL	JP	54-48294		Toppan Printing KK	04/1979		
✓	BM	WO	79/01081		Iqbal Siddiqui	12/13/1979		
✓	BN	JP	3-297397		House Shokuhin Kogy	12/1991		
✓	BO	WO	92/17768		Environmental Test Systems Inc.	10/15/1992		
✓	BP	WO	93/07483		Merck Patent GMBH	04/15/1993		
✓	BQ	EP	1 054 257		Terumo Cardiovascular System Corporation	11/22/2000		

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				Examiner Name	
Sheet	3	of	3	Attorney Docket Number	30862

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or county where published.	T <sup>2</sup>
	BR	LEWIS, CAROL; "Food Freshness and 'Smart' Packaging"; FDA Consumer, Sept.-Oct. 2002; pgs. 25-29	

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